
Window Replacements

Replacing existing windows in existing houses requires a Building Permit whenever:

- 1) The window frame is altered – Note: the window frame consists of the header, king stud, cripple stud, sill and associated supports, or
- 2) The existing flashing is altered, as when removing the nailing fin of an existing window, or
- 3) The exterior wall finish is removed, as when stucco is removed in order to remove an existing window, or
- 4) When the window replacement is part of a project at the house that requires a Building Permit.

Whether a permit is required or not, new glazing in existing openings must be safety glass if the opening is in a hazardous location as defined in current standards for new construction. Projects in buildings listed on the City's Historic Resources Inventory as City Landmark Structures, or in City Landmark Districts, require an Historic Preservation Permit from the Planning Division [(408) 535-3555] whether or not a building permit is required. Furthermore, requirements for energy, light, ventilation and egress must be accommodated as possible within the scope of work.

If the existing framing is NOT altered, the new window must comply with current requirements for new construction as possible (including the size necessary for any required egress) within the existing opening. It is possible, therefore, that the style of window would need to be changed, as when a noncomplying single hung style would need to be changed to a complying casement style.

If the framing IS altered, all aspects of the window must comply with current standards for new construction, and a Building Permit is required.

Note: the following summary of requirements for window sizing that apply to new construction:

All habitable rooms must have exterior windows whose area totals a minimum 10% of the floor area of the room served for light and 5% of the floor area for ventilation. Each sleeping room and basement must have an opening for emergency egress that is at least 5.7 square feet in opening area, with a minimum dimension of 24" high and minimum 20" width and a maximum 44" sill height.

Note: that in order to meet the required 5.7 sq. ft. total, either the width or height, or both, must exceed the minimum dimension.

When a replacement window is installed in an existing frame, the new window must meet all the window dimensions noted above that are possible within the scope of work.

Note: this information is based on San Jose Building Division Policy SJMC 24.02.120-1-97.

Additional information can be obtained by visiting our website at www.sanjoseca.gov/building or by calling our Information Inspector's voice mail at (408) 535-7601 and leaving a detailed message. In addition you may visit the Building Division in City Hall at 200 East Santa Clara St.